

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

RYAN LANCE HUTTON, #1659657	§	
VS.	§	CIVIL ACTION NO. 6:18cv143
DIRECTOR, TDCJ-CID	§	

ORDER ADOPTING REPORT AND RECOMMENDATION

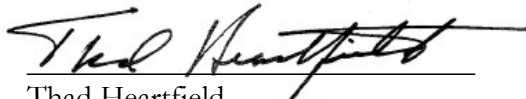
Petitioner Ryan Lance Hutton, a prisoner currently confined in the Texas prison system, proceeding *pro se* and *in forma pauperis*, filed his petition for writ of habeas corpus (Dkt. #1), pursuant to 28 U.S.C. § 2254, seeking to challenge his felony conviction on various grounds. He ultimately seeks to be released from custody. The above-styled and numbered civil action was heretofore referred to United States Magistrate Judge K. Nicole Mitchell.

On May 30, 2019, Mr. Hutton filed a Motion for Writ of Mandamus. (Dkt. #26). He seeks to have the court: (1) issue the writ, (2) vacate his convictions and sentences, and (3) order that he be afforded a new trial within 60 days of the court's order or be released from custody. Judge Mitchell issued a Report and Recommendation concluding that Mr. Hutton's motion for writ of mandamus should be denied. (Dkt. #27).

The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of the motion, has been presented for consideration, and no objections thereto having been timely filed, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the court. It is accordingly

ORDERED that the Report and Recommendation (Dkt. #27) is **ADOPTED**. It is further
ORDERED that Mr. Hutton's motion for writ of mandamus (Dkt. #26) is **DENIED** in
accordance with the Report and Recommendation (Dkt. #27).

SIGNED this the **1** day of **August, 2019**.


Thad Heartfield
United States District Judge